	Application No.	Applicant(s)
Notice of Allowability	09/751,811	GLEICHAUF, ROBERT E.
	Examiner	Art Unit	
	Aravind K. Moorthy	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *12/31/07*.

2. ☒ The allowed claim(s) is/are *1-6,8-23,25-31 and 33-38*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *1/15/08* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

/AYAZ SHEIKH/
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. This is in response to the arguments filed on 31 December 2007.

2. Claims 1-6, 8-23, 25-31 and 33-38 are pending in the application.

3. Claims 1-6, 8-23, 25-31 and 33-38 have been allowed.

4. Claims 7, 24, 32 and 39 have been cancelled.

EXAMINER'S AMENDMENT

5.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ryan S. Loveless on 15 January 2008.

The application has been amended as follows:

Claim 1 (Currently Amended) A method for real-time insertion of services during a packet-based telephony call session over a communication network, comprising:

initiating a service request message by a first client to a first server, the service request message initiated after a packet-based telephony call session has been established between the first client and a communication network, the service request message including the first client identity and a requested service available from a second server comprising a plurality of services;

determining that the first client is authorized to use the requested service at the first server; and

delivering the requested service in packet form to the first client during the

established packet-based telephony call session by the second server in response

to determining that the first client is authorized to use the requested service[.];

comparing the first client identity and the requested service with a list

stored in the first server, the list comprising a plurality of clients authorized to use

at least one of the services available from the second server;

issuing a ticket to the first client in response to determining that the list

includes authorization for the first client to use the requested service, the ticket

including the first client identity and the requested service;

sending the ticket and an address associated with a second client to the

second server by the first client;

reading the ticket at the second server to retrieve the requested service;

and

delivering the requested service in packet form to the second client based

on the address received from the first client.

Claim 7 (Cancelled)

Claim 14 (Currently Amended) A communication system, comprising:

a client operable to:

establish a packet-based telephony call session between the

client and a communication network; and

initiate a service request message after the packet-based

telephony call session has been established, the service request

message including a client identifier and a requested service to be inserted into the packet-based telephony call session;

a first device operable to couple to the communication network, the first device comprising a list of clients authorized to use at least one of a plurality of services; and

a second device operable to couple to the communication network, the second device further operable to insert the requested service in packet form into the established packet-based telephony call session in response to determining that the list includes the client identifier and the requested service[.];

the first device is operable to:

receive a service request message from the client, the service request message including the client identity, the requested service, and at least one address associated with at least one remote client;

compare the client and the requested service with the list; and

issue a ticket to the client and each of the remote clients in response to determining that the list includes authorization for the client to use the requested service, each of the tickets including the respective client identity and the request server;

the client is operable to send the ticket to the second device.

Claim 24 (Cancelled)

Claim 29 (Currently Amended) Logic encoded in media for real-time insertion of services during a packet-based telephony call session over a communication network and operable to perform the following steps:

initiating a service request message by a first client to a first server, the service request message initiated after a packet-based telephony call session has been established between the first client and a communication network, the service request message including the first client identity and a requested service available from a second server comprising a plurality of services;

determining that the first client is authorized to use the requested service at the first server; and

delivering the requested service in packet form to the first client during the established packet-based telephony call session by the second server in response to determining that the first client is authorized to use the requested service[.];

comparing the first client identity and the requested service with a list stored in the first server, the list comprising a plurality of clients authorized to use at least one of the services available from the second server;

issuing a ticket to the first client in response to determining that the list includes authorization for the first client to use the requested service, the ticket including the first client identity and the requested service;

sending the ticket and an address associated with a second client to the second server by the first client;

reading the ticket at the second server to retrieve the requested service;

and

delivering the requested service in packet form to the second client based

on the address received from the first client.

Claim 32 (Cancelled)

Claim 36 (Currently Amended) An apparatus for real-time insertion of services during a

packet-based telephony call session over a communication network, comprising:

means for initiating a service request message by a first client to a first

server, the service request message initiated after a packet-based telephony call

session has been established between the first client and a communication

network, the service request message including the first client identity and a

requested service available from a second server comprising a plurality of

services;

means for determining that the first client is authorized to use the

requested service at the first server; and

means for delivering the requested service in packet form to the first client

during the established packet-based telephony call session by the second server in

response to determining that the first client is authorized to use the requested

service[.];

means for comparing the first client identity and the requested service with

a list stored in the first server, the list comprising a plurality of clients authorized

to use at least one of the services available from the second server;

means for issuing a ticket to the second server in response to determining that the list includes authorization for the first client to use the requested service, the ticket including the first client identity, the requested service, and the address associated with a second client;

means for reading the ticket at the second server to retrieve the requested service; and

means for delivering the requested service in packet form to the second client based on the address included in the ticket.

Claim 39 (Cancelled)

Allowable Subject Matter

6. Claims 1-6, 8-23, 25-31 and 33-38 are allowed.

The following is an examiner's statement of reasons for allowance:

The current application is directed towards a method and apparatus for real-time insertion of services into an IP telephony call session are disclosed. A client initiates a service request message to a second server. The service request message includes the client identity and a requested service available from a second server. The first server determines if the client is authorized to use the requested service. If the client is authorized to use the requested service, the second server delivers the requested service to the client.

The closest prior art to the current application was Fijolek et al U.S. Patent No. 6,986,157 B1 (hereinafter Fijolek). Fijolek is directed towards a method and system for dynamic service registration, activation and deactivation on a data-over-cable system. A first network device, such as a cable modem with associated service devices (e.g., Voice over Internet Protocol

telephones) sends a first message to another network device, such as a cable modem termination system. The first message includes multiple service parameters for a desired service requested by a service device associated with the first network device. The multiple service parameters are extracted from the first message. A service session profile is created for the desired service. The service session profile includes one or more of the extracted service parameters required by the desired service. The service session profile is used by a service server associated with the cable modem termination system to provide a desired service. The service session profile is associated with a deferred inactive service identifier for the cable modem. The deferred inactive service identifier is returned to the cable modem in a second message. The deferred inactive service identifier is used at a later time by a service device associated with the cable modem to activate the desired service and to generate a service event on a service server. The service event may include an authentication, authorization, accounting or other event. A deferred service can be activated and deactivated used even after a network device, such as a cable modem, has already established a session with another network device, such as a cable modem termination system, on a data-over-cable system.

Fijolek differs from the current application in several aspects. Fijolek fails to disclose, expressly or inherently, "initiating a service request message by a first client to a first server, the service request message initiated after a packet-based telephony call session has been established between the first client and a communication network, the service request message including the first client identity and a requested service available from a second server comprising a plurality of services." Fijolek describes a "registration message 342 sent from CM 16 to the CMTS 12." No details are provided as to a service request message initiated after a

packet-based telephony call session has been established. That is, for example, there is absolutely no discussion that this "registration message" is sent after a packet-based telephony call session has been established. Fijolek fails to disclose, expressly or inherently, "delivering the requested service in packet form to the first client during the established packet-based telephony call session by the second server in response to determining that the first client is authorized to use the requested service." Fijolek describes information that may be included in a registration message, for example, an "offhook" request. Fijolek mentions nothing of "delivering the requested service in packet form to the first client during the established packet-based telephony call session by the second server in response to determining that the first client is authorized to use the requested service." More particularly, Fijolek mentions nothing of an established packet-based telephony call session.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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January 15, 2008

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